

DEVELOPMENT PLANNING IN ONTARIO:

# The Niagara Escarpment

MINISTRY OF TREASURY, ECONOMICS AND INTERGOVERNMENTAL AFFAIRS/ JUNE, 1973




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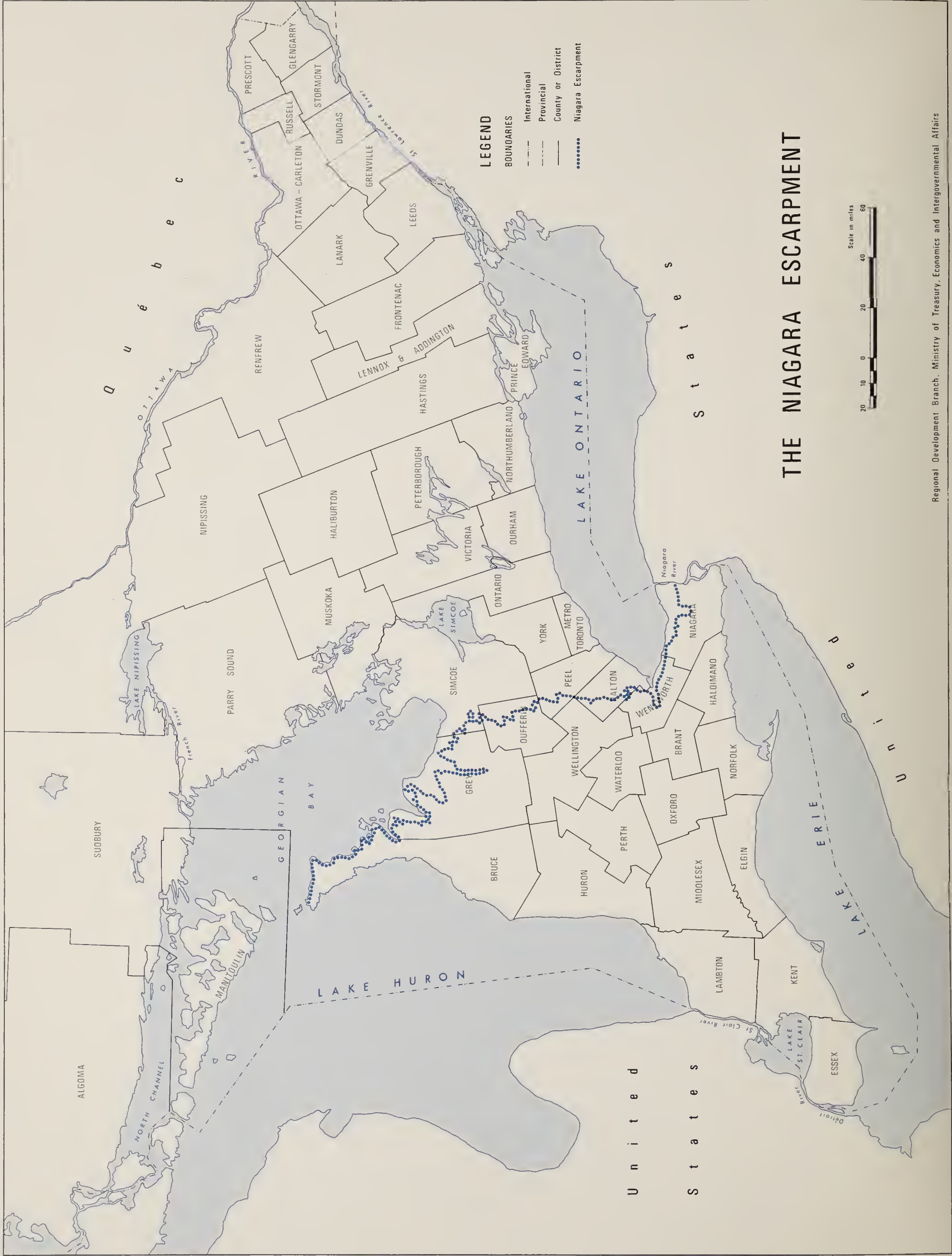
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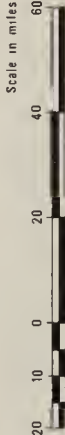


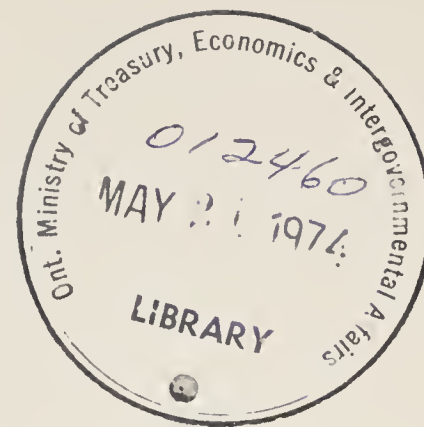
LEGEND

BOUNDARIES

- International
- Provincial
- County or District
- Niagara Escarpment

THE NIAGARA ESCARPMENT





Government Policy  
for  
The Niagara Escarpment

JUNE, 1973



# The Niagara Escarpment

## INTRODUCTION

The Niagara Escarpment is one of the major natural features in the landscape of southern Ontario. This Escarpment is a unique environmental corridor stretching from Queenston, near Niagara Falls, across the expanding urban belt and rich agricultural lands of southern Ontario, to the tip of the Bruce Peninsula near Tobermory. It is a rich mosaic of forests, cliffs, hills, waterfalls, scenic viewpoints, unusual rock formations, and interesting plant and animal life. In its southern portion, the Escarpment is the site of a multi-million dollar extractive industry. Expanding urban, recreational and industrial development are subjecting the Escarpment to a number of undesirable pressures.

It is the view of the Government of Ontario that these and associated factors necessitate a program to protect the Escarpment's distinct characteristics and to ensure a balanced future use of Escarpment lands.

## BACKGROUND

The Government of Ontario has expressed a continued interest in the future of the Niagara Escarpment. This has been manifest in a number of ways over the last few years.

### The Gertler Report

In 1967, the Government appointed Professor L. O. Gertler of the University of Waterloo to co-ordinate a wide-ranging study of issues and policies for the Niagara Escarpment area. Professor Gertler reported his findings the following year in a document entitled The Niagara Escarpment Study: Conservation and Recreation Report. This study recommended that steps be taken to ensure "the preservation of the Niagara Escarpment as natural parkland". To accomplish this, the study set out specific recommendations in four interrelated areas:

- (a) preservation of the land through a combination of government land purchases and land-use regulation;
- (b) establishment of a network of parks;
- (c) standards to regulate the operations of the extractive mineral industry; and
- (d) a joint provincial-municipal planning and finance program.

### Response to The Gertler Report

While the Government of Ontario did not adopt all the recommendations in the Gertler report, it did accept the basic principles and set about on a program of Escarpment preservation.

In September 1971, Premier Davis announced that the Government intended "to proceed in a more vigorous way to acquire



additional land for recreational and related uses along the Niagara Escarpment", and that "the Government, which had previously adopted the basic philosophies set out in the Niagara Escarpment Report, has now instigated action towards meeting the principal objectives and recommendations".

More specifically, following the Gertler Report action was taken on four fronts:

- (a) funds were allocated, on an expanded basis, for the acquisition of key Niagara Escarpment lands. In addition, the Government increased grants to conservation authorities from 50 per cent to 75 per cent of the cost of Escarpment lands approved for acquisition since January 1968;
- (b) the Niagara Escarpment has been an area of special emphasis for the provincial land acquisition program. Between January 1968 and the end of 1972 the Government bought approximately 20,000 acres of Escarpment land at a cost of almost \$7 million;
- (c) as a result of discussions with the Province, several municipalities now have Escarpment preservation measures built into their official plans.
- (d) a new policy on pits and quarries, incorporating most of the recommendations of the Gertler Report, became effective in June 1970 with the passage of The Niagara Escarpment Protection Act. The following year, The Pits and Quarries Control

Act was passed, strengthening regulations covering the operation and siting of all pits and quarries.

#### The Niagara Escarpment Task Force

Effective though these measures were in meeting a number of immediate problems, they did not represent a comprehensive program for the Escarpment. Many key issues remained unanswered:

- what are the overall goals and objectives which the Government should adopt in framing a comprehensive policy for the Escarpment
- which level of government--municipal or provincial--should bear the primary responsibility for developing an overall land-use plan for this area
- what kind of planning program is most appropriate for the Escarpment
- what should be the priorities for government acquisition of lands
- what further interim measures are necessary to ensure that good planning and land-use control become a reality for the Escarpment area
- what further measures, if any, are needed to regulate the operation of pits and quarries?

Obviously these are fundamental questions. The Government was fully cognizant of the fact that "snap" answers to questions such as these could do more harm than good. At the same time, the

Government was aware that early action was needed if key portions of the Escarpment were not to be overwhelmed by competing development pressures.

To aid in formulating a practical and realistic policy for the Escarpment, the Government announced the appointment of a Niagara Escarpment Task Force in May 1972. This Task Force, consisting of senior representatives from those Ministries most directly associated with Escarpment programs, had the following terms of reference:

1. To develop overall priorities to be used in the acquisition of land by the Province and its agencies
2. To advise on all proposed land acquisitions by the Province and its agencies
3. To establish land-use and development standards and to examine methods of land-use control and to recommend a system to ensure the appropriate use of lands
4. To advise upon all proposals which would result in major changes in existing land-use patterns.

The Task Force began its work immediately, and was able to submit its final report to the Government in December 1972. Before examining the substance of the Task Force Report, and the Government's response to it, a word should be said about how the Task Force operated.

The Niagara Escarpment Task Force set out to find out how the people most concerned actually felt about the preservation of the Escarpment. How did the public feel about what had been done? About what remained to be done? To provide for this public

discussion, the Task Force held open meetings in seven communities along the Escarpment: St. Catharines, Hamilton, Milton, Orangeville, Collingwood, Owen Sound and Lion's Head. The meetings were well attended and proved to be forums for spirited debate. As well as the public meetings, the Task Force maintained extensive contact with local authorities and concerned citizens through personal interviews, meetings with municipal councils, ratepayers' groups, conservation-oriented organizations and businessmen, and through hundreds of briefs and letters. In total, the Task Force has estimated that it had direct contact with more than 3,500 people.

The Task Force reported in late 1972. The intervening months have been spent in a careful analysis of the report, and the formulation of a definitive Government policy for the Escarpment. While this policy will vary from some of the recommendations of the Task Force, the Government wishes to emphasize that a comprehensive policy would not now be possible without the work performed by the Niagara Escarpment Task Force. The report of the Task Force is being released today as a supplement to this Statement of Government policy.

## **GOAL AND OBJECTIVES FOR THE NIAGARA ESCARPMENT**

To provide the framework for an Escarpment policy the Task Force recommended that the fundamental goal, or purpose, of any policy for the Escarpment should be:

To maintain the Niagara Escarpment as a continuous natural environment while seeking to accommodate



demands compatible with that environment.

The Government accepts this recommendation. This means that all Government actions in the Escarpment area will be directed toward the preservation of the unique natural environment of the Escarpment. It is important to note, however, that this goal recognizes that preservation of the natural environment should not be the sole purpose of all government activity related to the Escarpment. Acceptance of the goal means that the Government will pursue policies which also accommodate other demands--such as urban and recreation development--which are compatible with the goal of Escarpment preservation.

To attain this goal, the Task Force set out six objectives. The Government accepts these objectives and will use them as guidelines for its own programs, and for the activities of the municipal and private sectors. These objectives are:

1. To protect unique ecologic and historic areas
2. To maintain and enhance the quality and character of natural streams and water supplies
3. To provide adequate opportunities for outdoor recreation, through the public and private sectors
4. To maintain and enhance the open landscape character of the Escarpment by such means as compatible farming or forestry and by preserving the natural scenery



5. To ensure that all new development is compatible with the goal for the Escarpment

6. To provide adequate access to the Escarpment.

To ensure that all policies and programs for the Escarpment will be framed with the basic goal and six objectives in mind, these have been incorporated in new legislation introduced today.

### **TO ACHIEVE OUR PURPOSE**

To carry out a program designed to realize the goal and objectives outlined above, two differing approaches or alternatives could have been used.

#### The Acquisition Approach

The first alternative is a massive program of land acquisition. Using this approach, the Government of Ontario would have ended up owning the Escarpment and associated lands--an area of approximately 1.3 million acres. This approach has been rejected by the Government.

Many activities in the Escarpment area can, most appropriately, be left to the private sector. Examples of these activities are agriculture, and some forms of recreation, quarrying and urban development. To the extent that these activities do not conflict with the accepted goal and are, in the words of the goal "demands compatible with that environment", they are acceptable.

We must also consider costs. The Government estimates that the cost of purchasing all lands associated with the Escarpment would

be in excess of \$3 billion. If public purchases were necessary in order to achieve our purposes in the Niagara Escarpment area, it could be done although the cost would be high. However, in most parts of the Escarpment such purchases would be to ensure that present land uses will continue. Therefore, it is appropriate that the land remain in private hands and present uses remain undisturbed.

For these reasons, the Government has rejected total acquisition of the Escarpment area.

#### The Planning Approach

The second alternative is to create a planning system featuring strong, provincially-directed land-use regulation plus public ownership where necessary. This approach is the method chosen by the Government. This has been done for several reasons.

First, this approach permits a variety of land ownership and uses in the Escarpment area. This in turn means that we can harness the strengths and initiatives of the private sector in helping us to achieve our purposes. It is generally agreed that continued private ownership in agriculture and some forms of recreation facilities, for example, is desirable and necessary to our policies.

Second, we must recognize that the Escarpment has both provincial and local significance. By using a planning framework to achieve our purposes we will be able to provide for a strong local contribution to land-use decisions affecting the Escarpment area.

Third, this technique will enable the Government to concentrate its land acquisition funds on those key areas of the Escarpment where public ownership is most desirable. It must be emphasized, however, that such an acquisition program will still be expensive.

For these reasons, the Government has decided to preserve the Niagara Escarpment through a new and innovative planning framework which marks a significant departure from past practices. Again, it should be noted that this conclusion is supported by the findings of the Niagara Escarpment Task Force.

## THE NEW PLANNING FRAMEWORK

The planning framework exhibits three new major features: a new organization to do the planning, a new process whereby the planning will be done, and new legislation to embody these changes.

### The Niagara Escarpment Commission

The Niagara Escarpment Task Force recommended the establishment of a Niagara Escarpment Secretariat to prepare a plan for the Escarpment, to co-ordinate and monitor government programs, and to serve as the source of public contact on Escarpment issues. The proposed Secretariat was not seen by the Task Force as a part of a regular formal Ministry structure.

After careful consideration, the Government has adopted a slightly different approach. In the Government's view, the body charged with planning for the Escarpment area must exhibit three essential features.

First, this body should have a large degree of flexibility in setting out its own administrative arrangements and in securing the best staff support possible--whether inside or outside government. Innovative planning requires innovative structures.

Second, there must be direct local participation in such a planning program. As noted before, the Escarpment is vitally significant to those local communities directly influenced by its presence.

Third, the body directing such an important and new planning program should be directly accountable to a member of Cabinet--

because Cabinet is the final policy-making body within our system of government.

For these reasons, the Government has decided to establish a Niagara Escarpment Commission. This Commission will report to the Treasurer of Ontario because the Ministry of Treasury, Economics and Intergovernmental Affairs now has the responsibility for guiding provincial and local planning in Ontario.

Membership in the Niagara Escarpment Commission will be secured on the following basis:

- (a) eight members will represent local government. These will be appointed by the Provincial Government following nomination by the eight Counties and Regions within the Niagara Escarpment Planning Area. In making nominations, it is expected that the Counties and Regions will consider individuals from those local municipalities through which the Escarpment runs. The Counties and Regions which will be asked to nominate representatives are: The Regional Municipality of Niagara and the Counties of Wentworth, Halton, Peel, Dufferin, Simcoe, Grey and Bruce;
- (b) nine members, one of whom will be the Chairman, will be appointed by the Government as Provincial representatives.

Thus, the Niagara Escarpment Commission will have a total of seventeen members.

To enable it to carry out its duties effectively, the Niagara Escarpment Commission will have the power to hire such staff as it



feels appropriate, and will also be able to request the services of key personnel within any government ministry.

The Government does not view the Commission as a permanent feature of the Province's organization structure. As has been noted, the Commission's main task is to prepare a plan for the Niagara Escarpment area. When this job has been substantially completed--probably not later than 1976--the Government intends to transfer to local government many of the responsibilities initially carried out by the Commission.

#### The Planning Process

The Commission has been charged with the responsibility of preparing a master plan for an area to be known as the Niagara Escarpment Planning Area. This Area is similar to the study area used by the Gertler Report with two important differences:

- the boundaries of the original study area have been "squared off" to follow lots, concessions and municipal boundaries wherever possible.
- the entire Bruce Peninsula has been included.

A map of the Niagara Escarpment Planning area is attached to this Policy Statement.

In setting out a planning framework the Task Force noted that if the stated purpose of Escarpment protection is to be achieved, provincial policies and plans must be pre-eminent in the control and

development of the Escarpment. The Government accepts this premise and has, therefore, authorized the Niagara Escarpment Commission to prepare a master plan for the Escarpment area.

#### The Master Plan

In the preparation of this master plan the Commission will be directed to work closely with local government. As will be seen throughout this Policy Statement, the Government does not view the Commission--or its planning program--as a substitute for direct local decision-making. Municipalities will be full participants in the Commission, in the plan preparation and ultimately in much of its execution.

The Niagara Escarpment plan may contain guidelines covering any or all of the following:

- policies for the economic, social and physical development of the planning area, including land and water management, population distribution and density, pollution control, the designation of major land uses, provision of parks and major servicing, transportation and communication systems;
- policies relating to the financing and scheduling of public works--provincial or municipal;
- provision for the co-ordination of provincial and local planning and development activities;
- policies designed to ensure that private development will be compatible with the plan.

This must not be taken to mean that the Niagara Escarpment Commission will be responsible for all planning in the affected area. Within the guidelines of the provincial master plan, there will still be many significant planning decisions which can be made most effectively by local government.

In recognition of this continuing role for local government, and to ensure that local government accepted this responsibility, the Task Force recommended that official plans be made mandatory for all municipalities having jurisdiction within the Escarpment planning area. In slightly modified form this recommendation has been accepted by the Government. Under the new Niagara Escarpment Act, the Province may require any municipality to prepare and adopt an official plan and submit the plan for approval within a specified period of time.

In order to be effective, any plan prepared by the Niagara Escarpment Commission and adopted by the Province must have clear legal status. To achieve this, the Task Force recommended that any such plans must be legally binding on all governments--provincial and municipal. The Government endorses this approach. Once the master plan has been approved by the Government, the plan will take precedence over local plans. This means that no works can be undertaken which do not conform to the plan. In addition, all existing official plans will be modified to bring them into conformity with the overall plan.

The Government recognizes that the obligation to modify existing official plans and, in some cases, to prepare new official plans, will mean significant expenditures for many municipalities.

Because of this, funds will be made available to assist those municipalities obliged to undertake such activities.

In a planning program as far-reaching as this, provision must be made to enable changes in the plan after its initial adoption. The Task Force recommended two ways of doing this: clear provision for amendments, and periodic reviews of the entire plan. The Government has accepted both of these recommendations, and appropriate provisions are included in the new Niagara Escarpment Act.

#### Participation in the Planning Process

In a key set of recommendations relating to the planning process, the Niagara Escarpment Task Force recommended that municipalities, individual citizens and provincial agencies should be able to contribute to the development of provincial and local plans covering the Escarpment. These recommendations are entirely in keeping with this Government's view of the planning process as an open system where all can contribute. Because of this, the recommendations have been accepted by the Government and a detailed system of participation is contained in the new Niagara Escarpment Act.

The Act provides that the Niagara Escarpment Commission must ensure that copies of the proposed plan or any subsequent amendments are supplied to municipalities, advisory bodies and provincial agencies. In addition, copies of the proposed plan or amendments will be available to any member of the public for examination. After a stated period of time has passed, during which the



plan will have been evaluated by the general public and official bodies, and comments will have been received by the Commission, the Commission will appoint an impartial person to conduct a hearing or series of hearings and to report back. This will provide a further opportunity for any municipality or member of the public to state a view on the proposed plan or amendment. The report of the hearing officer, together with briefs and other comments, will be submitted to the Treasurer along with the Commission's draft master plan. All these documents will also be made public at the same time. Only after this process has been completed would the Province proceed with approval of the plan or amendment.

#### The Local Role in Planning for the Escarpment

The Task Force points out, quite correctly, that the planning framework outlined above will truly be a joint provincial-local effort only if local governments are strong enough to carry their share of the program. To accelerate the process, the Task Force recommended that the system of local government in the Escarpment area should be restructured immediately. The Government has not accepted this recommendation.

One part of the Niagara Escarpment area is already operating under a system of regional government. The Regional Municipality of Niagara covers the southernmost portion of the Escarpment. Three regional governments have been proposed for the segment of the Escarpment running from Hamilton to Orangeville--Hamilton--Wentworth,



Halton and Peel. Some of these areas may be operating under a form of regional government as early as the beginning of next year. In the remaining section of the Escarpment, from Orangeville to Tobermory, no proposals have been made for regional government. In these areas, the Government will move to enable the existing counties to set up effective planning mechanisms.

The Government of Ontario will take several steps to ensure that the planning process makes adequate provision for local concerns in all areas of the Escarpment.

In the Regional Municipality of Niagara, the new Niagara Escarpment Commission will be directed to work closely with the Region. The Government policy being announced today will assist the Regional Municipality of Niagara in its planning program. Regional Niagara can only frame detailed planning policies for its area of the Escarpment when definitive statements of overall Provincial policy and guidelines are available. The formation of the Niagara Escarpment Commission and the planning program set out in The Niagara Escarpment Act will make these policies and guidelines available. From the beginning, we expect that the level of planning undertaken by the Niagara Escarpment Commission within the Regional Niagara area can be more generalized and less specific than will be the case elsewhere since many decisions can and will be made at the regional government level. The Commission will be expected to use much of the existing draft regional plan for Niagara as part of its own guidelines.

The Niagara Escarpment Commission will be developing the Escarpment master plan at the same time that the Hamilton-Wentworth, Halton and Peel areas are working on their official plans and the "time-lag" noted in the case of Niagara will not recur. With the Provincial and local governments developing their plans concurrently, a fully integrated plan will be a reality.

In the remaining section of the Escarpment, where no restructuring of local government will occur, a different approach must be taken to ensure effective local participation.

This section covers parts of the counties of Dufferin, Simcoe, Grey and Bruce. In each of these counties, the Government will continue to encourage the establishment of county planning boards to prepare county-wide official plans in close association with the Niagara Escarpment Commission.

The working relationship between the Niagara Escarpment Commission and local government is important. As suggested above, this relationship will vary considerably from one part of the Escarpment to another. In the Niagara Region, the entire Provincial planning program will be less detailed than elsewhere, perhaps being confined to a set of guidelines which the Region can use in defining its own planning program. While the master plan will be more detailed in other parts of the Escarpment, it must not become so specific as to frustrate local decision-making. The Government will monitor the work of the Commission carefully to ensure that the master plan does not become a substitute for local plans and local decision-making.

As the planning program of the Commission evolves, the provincial-local relationship will change. The bulk of the work to be done by the Niagara Escarpment Commission will be completed by 1976. At that time it is the intention of the Government that as many functions of the Commission as possible will be transferred to local government.

In addition to the responsibilities they will exercise as planning authorities, local government on the Escarpment will have a role within the provincial planning process itself. Each regional government and county will be directly represented on the Niagara Escarpment Commission--the body responsible for the preparation of the provincial master plan. Also, during the period when the public response is being solicited to the proposed plan or amendments, the new legislation gives a clear advisory role to local government. For example: counties and regions will be asked to receive any submissions, comments or proposals from constituent municipalities, and then to prepare a consolidated statement of views for submission to the Commission.

Finally, provision is made for some of the detailed planning powers of the Treasurer to be delegated to local governments along the Escarpment when they have the necessary experience and planning staff.

### New Legislation

Today the Government has introduced new legislation--The Niagara Escarpment Act. This Act will establish the Niagara Escarpment Commission and initiate the planning process outlined above. Specific features of the Act will be referred to in subsequent sections of this Policy Statement.

In order to implement the policy of Escarpment preservation through rational land use, the Government assigns a high priority to this legislation and expects early passage during the current session of the Legislature.

### The Planning Framework: Summary

To summarize, the Government is introducing a new system of planning for the Niagara Escarpment area. This new system has the following basic features:

- (a) establishment of a Niagara Escarpment Commission to draft the master plan. The Commission will be a joint provincial-municipal body
- (b) establishment of a planning process in which:
  - provincial policies will be stated in a master plan
  - official plans will be mandatory
  - both the provincial plan and municipal official plans, will be legally binding on provincial and local governments
  - all existing official plans will be modified to reflect the approved provincial master plan



- assistance will be given to municipalities in drafting and modifying their official plans
  - full provision will be made for public comment and response to plan proposals before the master plan is adopted
  - local government will play an increasingly significant role in plan formulation and execution
- (c) the passage of The Niagara Escarpment Act is a high priority during the present session.

### **PLAN IMPLEMENTATION: DEVELOPMENT CONTROL**

The Niagara Escarpment Task Force concluded that the present system of controlling land uses through zoning by-laws "cannot provide the kind of control needed in a large, varied and environmentally sensitive area such as the Niagara Escarpment."

In support of this conclusion, the Task Force took a critical look at the current method of enforcing planning policies through restricted-area by-laws (usually referred to as zoning by-laws). They noted that such by-laws create a series of zones or land-use areas and establish development standards for all the uses permitted in each zone. A by-law of this sort is prepared according to general knowledge of each zone's physical condition. Because of this, a zoning by-law cannot set out the particular requirements which would be followed if every individual property were to be treated according to



its own environmental elements. If this were attempted, the zoning by-law would become unmanageable since all the detailed conditions would have to apply to all lands designated for the same use within the area. This means that an important element of flexibility in judging individual development would be lost.

What is needed is a system in which every proposed development would be studied on its own merits and, if found compatible with planning policies, would be subject to special standards designed to implement these planning policies. This type of plan implementation is known as development control.

Accordingly, the Task Force recommended that an Escarpment plan should be implemented by development controls instead of zoning by-laws, and that the criteria for development control should be incorporated into any master plan for the Escarpment area.

The Government has accepted these recommendations and, in the new Niagara Escarpment Act, incorporates a system of plan implementation through development control.

Development control is a departure from existing practices. We do not know of any jurisdiction in North America where development control is used as a method of plan implementation--although it has been used successfully in some European countries including the United Kingdom. Because it is new, unforeseen problems will undoubtedly arise in the initial period. In the longer run, however, this

technique will provide the flexibility needed if we are to achieve our primary goal in the preservation of the Niagara Escarpment.

More specifically, the development control process will proceed along the following lines within the planning process outlined above:

- (a) As soon as The Niagara Escarpment Act is passed, parts of the Escarpment planning area would be designated as subject to development controls, and appropriate regulations would be instituted. These would be administered initially by the Ministry of Treasury, Economics and Intergovernmental Affairs
- (b) When the Niagara Escarpment Commission becomes operational, development control administration would be delegated to it
- (c) The Commission would then be responsible for preparing the master plan as well as administering development controls
- (d) After the master plan is substantially complete, development control may be delegated to local governments.

The Government has decided to use development control as a means of plan implementation in order to avoid the cumbersome and unwieldy techniques of freezing all development on the Escarpment pending the adoption of the master plan. Development which is not in conflict with our overall goal of preservation will not be held back. Indeed, the establishment of the Commission as a central "point of reference" for all Escarpment issues should facilitate the making of planning decisions on proposed development.

## PLAN IMPLEMENTATION: LAND ACQUISITION

The Niagara Escarpment Task Force considered the issue of land acquisition in detail. As pointed out before, a massive program of land acquisition is not appropriate as a means for preserving the Escarpment. The provincial purchase of key areas, however, will be an important aspect of the Government's Escarpment preservation program. But it is clear that the land acquisition program must reinforce the realization of the master plan for the Escarpment.

There are many land uses which are compatible with the Escarpment's natural environment--agriculture, commercial forestry, resort and residential development could all be compatible depending on location and character. In such instances, there should be no need for provincial land acquisition. In other parts of the Escarpment area, the environment can be maintained through the master plan and the use of development controls outlined previously. Although this should reduce much of the need for provincial land purchases, there are certain features which can be preserved most effectively by acquisition. The Task Force has recommended, and the Government has adopted for itself, and provincially-aided agencies such as conservation authorities, the following priorities for future acquisitions:

- (a) unique ecologic and historic areas
- (b) new recreational facilities, especially potential park lands  
near urban centres
- (c) the best route for the Bruce Trail.

One form of acquisition which can be used is the purchase of easements. This is the purchase of certain rights such as access and specified uses without total acquisition. This is particularly applicable in the case of the Bruce Trail, where acquisition will be in the form of easements and total purchase, depending on particular circumstances.

A further word here is appropriate regarding the future of the Bruce Trail. The Task Force recommended, and the Government accepts, an approach whereby the Province will determine the best route for the Trail in consultation with the Bruce Trail Association. It is the Government's intention to delegate Trail management responsibilities to the Bruce Trail Association. There has been much discussion about use of the Trail. The Task Force has recommended that the Bruce Trail should be used only for walking, snowshoeing and cross-country skiing. The Government endorses this recommendation and will ensure that the Niagara Escarpment master plan reflects this decision.

The Government is now developing land acquisition priorities for southern Ontario. As far as the Escarpment is concerned, it is our intention to adhere to these broader priorities in making any land purchases outside the three categories outlined previously.

A vigorous program of provincial land acquisition is currently underway on the Escarpment. This program has many activities proceeding at any given time, including the securing of options on certain properties, and the commitment of provincial funds upon the completion of current negotiations. To avoid any confusion or hardship,



the Task Force recommended that the Province honour its existing options and other firm agreements regarding land acquisition. The Government accepts this recommendation and appropriate provision is made in The Niagara Escarpment Act.

Finally, on the question of land acquisition, the Task Force put forth a series of recommendations on funding for these purchases. Without accepting the details of each recommendation, the Government agrees with the philosophy expressed. Funding for land acquisition should be tied to the priorities set out previously for the various types of purchases, and be seen as part of an overall long-term funding of a provincial land acquisition program. The Government has, in the past, viewed Escarpment land purchases as a high priority within its overall land acquisition program for Ontario, and will continue to do so.

### **PLAN IMPLEMENTATION: PITS AND QUARRIES**

Perhaps no other issue has received more public attention along the Escarpment than the question of the proper role for pit and quarry operations. This issue will be an important element in the implementation of any plan to preserve the Niagara Escarpment.

As pointed out by the Task Force, guidelines relating to pits and quarries must take into account the importance of the Escarpment as a source of construction material. In 1969, consumption of sand, gravel and stone in the Toronto-Centred Region totalled more than 50.2 million tons, and the rate of consumption was increasing faster than the rate of population growth. The availability of such

materials is essential to continued development in Central Ontario. In that portion of the Escarpment extending from Saltfleet Township to Collingwood, aggregate production represents more than 35 per cent of all aggregate used in the Central Ontario Region.

But aggregate production is, by its very nature, disruptive to the natural environment. No amount of "cosmetic surgery" during or after production can hide the fact that a pit or quarry is incompatible with the accepted policy of preserving the Niagara Escarpment. How then does one reconcile the overall policy with the need for Escarpment aggregate materials? This is a question which the Task Force has considered carefully. A series of recommendations have been made, and are accepted by the Government as policy for the Escarpment.

The Policy which the Government will adopt on pits and quarries will have the following features:

- (a) Within the Niagara Escarpment planning area, the Government will establish a "Pits and Quarries Restrictive Zone". Within this zone, new pits or quarries--including wayside pits--will be prohibited. The Niagara Escarpment Task Force has outlined a proposed restrictive zone shown on a map attached to this Statement. This zone has been delineated on the basis of prominent topographical features associated with the Escarpment, unique and scenic areas and recreational sites. As an interim measure, the Government is adopting the restrictive zone as recommended, and will issue no new permits within this area.

The restrictive zone will be reviewed by the Niagara Escarpment Commission as part of its planning program, and any necessary changes will be made when the master plan for the Escarpment is adopted.

(b) Within the "Pits and Quarries Restrictive Zone", if a licensed pit or quarry is found, by the Niagara Escarpment Commission, to be in serious conflict with the goals and objectives for the Escarpment, the Government will work with the operator to seek an alternative location. This might necessitate the construction of access roads, aid in assembling land, and freight cost assistance. The old site would be rehabilitated by the operator and turned over to an appropriate government agency.

(c) To protect the Escarpment's valuable mineral resources, the Niagara Escarpment Commission will be asked to designate "Mineral Resource Areas" in the Escarpment corridor. New pits and quarries will be permitted in these areas under standards to be defined in the master plan for the Escarpment.

Finally, the Task Force has recommended that changes be made in The Pits and Quarries Control Act to simplify permit procedures for small operators producing less than 10,000 cubic yards per year. The Task Force also recommends the publication of a booklet explaining in simple language the complex regulations under The Pits and Quarries Control Act. The Government accepts both these recommendations and will take appropriate action.

## **PLAN IMPLEMENTATION: LIMITED RECREATION RESOURCES**

Another area of concern identified by the Task Force is the growing scarcity of recreational resources in view of rapidly accelerating demand. Two recommendations have been made and will be incorporated as Government policy in the master plan for the Escarpment.

One of the recommendations is a general statement of policy: that good harbour areas, shorelines and water and access to shorelines and water should be protected for public use within a comprehensive plan for the Escarpment area. As part of this general policy, the Task Force has made a recommendation with specific reference to the existing 66-foot shoreline reserve around much of the Bruce Peninsula. In all cases where this reserve has not been legally alienated, no new private development should be permitted, and existing development should continue only if it conforms to provincial and municipal plans. Both these recommendations are accepted and will be referred to the Niagara Escarpment Commission as directions to be included in the planning program.

## **FINANCIAL IMPLICATIONS**

The program to preserve the Escarpment will have financial implications for both the Province and municipalities.

### The Province

As noted previously, the acquisition of key areas within the Niagara Escarpment corridor will make significant demands upon the Province's financial resources. It is not possible to make accurate cost estimates



at this time. However, the Government has attempted to develop some very rough figures.

If it is assumed that the Government will acquire 20 per cent of the Niagara Escarpment area (and we do not know precisely if the area designated for acquisition will be 20 per cent, the figure could be higher or lower), then acquisition costs could run from a low of \$250 million to a high of more than \$500 million. The high and low is based on differing assumptions as to average cost per acre. Full compensation will be paid to all owners of property acquired in the Niagara Escarpment area.

The Niagara Escarpment Commission itself will require financing. For example, members of the Commission may receive payments for their services, and it will be necessary to establish one or more offices and to hire staff. Costs associated with the Commission could be in the neighbourhood of from \$100,000 to \$200,000 per year.

The Niagara Escarpment Task Force has recommended certain payments to local government, and these proposals have been accepted by the Government. These payments will include the following:

- (a) payments in lieu of municipal taxes on properties owned by the Province and its agencies;
- (b) payments in recognition of the need by municipalities to modify existing official plans and prepare and adopt new plans;

The Government has not attempted to quantify the financial implications of these decisions at this time.

Finally, the Province may incur expenditures associated with the relocation of operating pits and quarries within the restrictive zone described previously. Again, an estimate of expenditure associated with this policy cannot yet be made.

#### Municipalities

No major new expenditures at the municipal level are expected as a result of the policies outlined in this Statement. As noted above, municipalities will receive grants to cover, in part, any significant new costs associated with official plan preparation and amendment.

#### Private Sector

The land-use designations in the provincial plan and local official plans will, of course, be reflected in property taxation in due course. There will, therefore, be no undue taxation burden placed on owners of lands in the Escarpment area. However, the Task Force did identify one case where special tax treatment is recommended. While the property tax assessment base will reflect the use to which the land is put, there may be a few cases where the actual land-use is less intense than the land-use permitted by the plan. Under such circumstances, a system of partial deferral of property taxes was suggested. The Government has accepted the concept behind this recommendation. The Niagara Escarpment Act permits agreements between property owners and municipalities in those cases which would permit the owner to pay property taxes based on actual land-use with deferment of the remaining taxes for a stipulated period.

One other point of particular concern to the private sector must be noted. Much of the land in the Escarpment is used for agricultural purposes and will be preserved as such. A policy of preservation is not possible, however, without joint action by all governments. The Government of Ontario and the municipalities of the Escarpment area are ready to play their part in a program of farmland preservation. But this will not succeed unless the federal government also plays its role by ensuring stable domestic markets for agricultural products. Recent tariff changes provide cause for great concern that this legitimate role will not be accepted by the federal government. If stable markets for agricultural products are not realized, the Province will be forced to re-examine the validity of engaging in a program of farmland and fruitland preservation along the Escarpment and elsewhere in Ontario. All of the residents of Ontario--urban as well as rural--have an interest in the preservation and encouragement of our agricultural industry. We are all beneficiaries of a vital and healthy farm economy. Ontario has recognized this in the farm tax changes announced a few weeks ago in the 1973 Budget Statement. This, and the needed action by the federal government to ensure adequate markets, will make the role of agriculture in the Escarpment area significant--as it should be.

## CONCLUSION

The Government of Ontario's concern over the future of the Niagara Escarpment area is related to the two purposes of our policy to preserve this unique area as a wilderness and recreation resource

and also to accommodate other land uses that are compatible with such preservation. Neither purpose will be realized without a comprehensive plan for the future and an effective means of putting that plan into action.

Considering the size of the Escarpment area--2,000 square miles--and the number of local bodies currently holding jurisdiction throughout the area, there is a clear need for strong leadership in both planning and implementation of Escarpment policies. The Government of Ontario recognizes its responsibility to provide that leadership, on behalf of all the people of Ontario.

The Government's goal for the Escarpment concerns the entire Province. The Government's plan, however, must have a role built into it for the communities of the Escarpment area. Within these areas are the people most immediately concerned. They will have a strong voice in the planning and, to as great an extent as possible, they will have a major part to play in making the plan work. In this way, they will participate in the preservation of an irreplaceable heritage.

Throughout the industrial nations of the world, people have recognized the need to do something about the unstemmed tide of development which could threaten the quality of human life. However, in too many places, there is little more than mere recognition of the problem. Ontario is a pioneer in taking action--now--to provide a better life for the future. The course of this action, in the Niagara Escarpment area, is a carefully planned program of development control--something new to this continent and, like anything new, it is bound to



encounter some teething problems. Nevertheless, the Government of Ontario is convinced that without adequate planning, particularly in this area of the Province, the future will bring ecological and psychological chaos.

It is entirely appropriate that the place designated for introducing development controls should be the Niagara Escarpment. This ancient geological formation and superb wildlife habitat represents the essence of Ontario: splendour, strength and diversity. It is a place where native plants and animals can flourish as they have for millions of years, where people can find refuge from an increasingly man-made environment and discover their harmony with nature. On the Escarpment, within easy reach of the crowded metropolitan centres of southern Ontario, it is possible to relax, observe, explore and be refreshed by the presence of something that people have no ability to create, and no right to destroy.

The Government of Ontario is committed to keeping this unique tract of nature for its own sake, for the people of the Province and for the future.



# NIAGARA ESCARPMENT PLANNING AREA







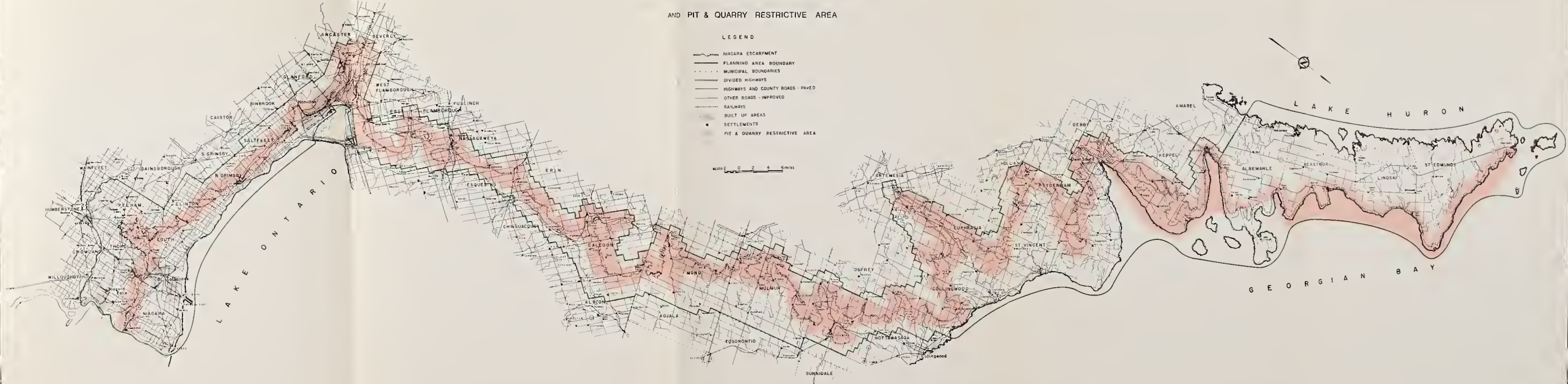
# NIAGARA ESCARPMENT PLANNING AREA

AND PIT & QUARRY RESTRICTIVE AREA

## LEGEND

- NIAGARA ESCARPMENT
- PLANNING AREA BOUNDARY
- MUNICIPAL BOUNDARIES
- DIVIDED HIGHWAYS
- HIGHWAYS AND COUNTY ROADS - PAVED
- OTHER ROADS - IMPROVED
- RAILWAYS
- BUILT UP AREAS
- SETTLEMENTS
- PIT & QUARRY RESTRICTIVE AREA

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Government policy for the  
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